

### REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendments and following remarks is respectfully requested.

Claims 1-40 are pending in this application. By this Amendment, Claims 1-2, 5, 10, 13-14, 17, 21, 35 and 38 are amended; and no claims are canceled or added herewith. It is respectfully submitted that no new matter is added by this Amendment.

Applicants appreciate the courtesies extended to applicant's representative during the interview conducted December 28. It is respectfully submitted that the amendments and comments set forth herein, constitute applicants statement of substance of the interview.

In the outstanding Office Action, Claims 1-40 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,847,014 to Benjamin in view of U.S. Patent No. 6,080,969 to Goto.

With respect to the rejection of the claims under 35 U.S.C. § 103(a), the applied art does not teach or suggest a first and second heating element arranged respectively in a first and second region of a substrate holder, a first and second cooling element arranged in the substrate holder opposing the respective first and second heating element with a space therebetween, and an insulating element arranged in the substrate holder interposed in the space between each of the heating and cooling elements, as recited in Claim 1 and similarly recited in Claim 13.

Instead, Benjamin discloses as best shown in Figure 3A, that the heater 308 includes at least one resistive element and can be embedded in the support 306 below the clamp electrode plane. The heater 308 can have one or more planar heating elements with each heating element defining a heating zone or region that may be controlled independently. The multi-zone pattern has one or more planar heating elements acting in opposition to the

conduction cooling to the support 306. A single thermal insulator 304 acts as a thermal impedance break between the support 306 and base 302. The thermal insulator 304 acts as a thermal resistive element and a bond between the support 306 and base 302. Benjamin further discusses that the heater 308 can comprise thermoelectric modules that can cool or heat. The single base layer 302 includes an aluminum base cold plate that is preferably maintained at a constant temperature about 10 to 50 degrees C below the temperature of the workpiece 310.

However, there is no teaching or suggestion in Benjamin for the features discussed above in the independent claims. As discussed during the interview, the independent claims recite first and second heating elements and also first and second cooling elements. The cooling elements are arranged opposing and spaced apart from the heating elements. An insulating element is arranged in the space between the cooling element and heating elements. The features discussed above are all formed in the claimed substrate holder. Again, Benjamin merely discloses that the heater 308 formed in the support 306 could be made of thermoelectric modules that can cool or heat. The single thermal insulator 306 layer is formed below the support 306 and the base is formed below the insulator layer 306. Accordingly, there is no teaching or suggestion for having cooling elements provided as a separate element and spaced apart from respective heating elements with an insulating element therebetween.

Goto does not discuss nor is Goto relied upon to provide the features identified as deficient in Benjamin discussed above. Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) is respectfully requested.

Consequently, for the reasons discussed in detail above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

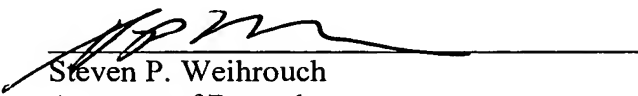
Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

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